

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---|---|------------|
| RICHARD M. SMITH, DONNA) | | |
| SMITH, DOUG SCHRIEBER, SUSAN) | | |
| SCHRIEBER, RODNEY A HEISE,) | | |
| THOMAS J WELSH, JAY LAKE,) | | |
| JULIE LAKE, KEITH BREHMER, and) | | |
| RON BRINKMAN,) | | |
| |) | |
| Plaintiffs,) | | 4:07CV3101 |
| |) | |
| V.) | | |
| |) | MEMORANDUM |
| MITCH PARKER, In his official) | | AND ORDER |
| capacity as Chairman of the Omaha) | | |
| Tribal Council, BARRY WEBSTER, In) | | |
| his official capacity as Vice-Chairman of) | | |
| the Omaha Tribal Council, AMEN) | | |
| SHERIDAN, In his official capacity as) | | |
| Treasurer of the Omaha Tribal Council,) | | |
| RODNEY MORRIS, In his official) | | |
| capacity as Secretary of the Omaha) | | |
| Tribal Council, ORVILLE CAYOU, In) | | |
| his official capacity as Member of the) | | |
| Omaha Tribal Council, ELEANOR) | | |
| BAXTER, In her official capacity as) | | |
| Member of the Omaha Tribal Council,) | | |
| and ANSLEY GRIFFIN, In his official) | | |
| capacity as Member of the Omaha Tribal) | | |
| Council and as the Omaha Tribe's) | | |
| Director of Liquor Control,) | | |
| |) | |
| Defendants.) | | |

I have been delegated the responsibility of supervising the pro se staff attorneys for the court. The court has hired Marnie Jensen to serve as a pro se staff attorney and she will start work with the court on or before September 4, 2007. Ms. Jensen appears as counsel of record in this case.

Given the facts outlined above, I have reviewed the question of whether I should recuse myself from any case in which Ms. Jensen appears as counsel. I have concluded that recusal is not required, but I also conclude that the parties may have a different position. If they do, I will recuse myself and this case will be reassigned to another judge.

Therefore,

IT IS ORDERED that:

1. On or before July 16, 2007, if counsel for a party believes that I should recuse myself in this case because of the disclosure made above, he or she should send a letter to Pat Merritt, Deputy in Charge, United States District Court for the District of Nebraska, 593 Federal Building, 100 Centennial Mall North, Lincoln, Nebraska 68508.

2. If Ms. Merritt receives a timely letter pursuant to paragraph one above, she shall notify me that such a letter was received, but not otherwise disclose the contents of the letter or the name of the sender. I will then recuse myself from this case, and the case will be reassigned.

July 2, 2007.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge